

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 31-38 and 46 are currently pending in this application. By this amendment, Applicants have amended Claim 31, added new Claim 46 and have cancelled Claims 39-45.

In the outstanding Office Action, Claims 31-45 were rejected under 35 U.S.C. §102(b) as being anticipated by Hosono et al. (EP1 134 746 A2, hereinafter Hosono).

By this Amendment, Applicants have added new Claim 46. Support for new Claim 46 is found in the specification on page 65, lines 1-17, for example, and therefore new Claim 46 is not believed to raise an issue of new matter.

Turning now to the rejection of Claim 1, Applicants respectfully submit that Hosono fails to disclose all of the elements of amended Claim 1. Claim 1 originally recited that “the MOS transistor selectively changes an amount of charge stored in the capacitor.” Claim 1 has been amended to recite that “the MOS transistor selectively changes a value of a first data stored in the capacitor.” Indeed, Hosono does not disclose storing first data in the capacitor.

Fig. 2 of Hosono does not disclose first data being stored in the capacitor and there is no discussion of capacitor 48 storing data in the text of Hosono. Therefore, Hosono cannot disclose “the MOS transistor selectively changes a value of a first data stored in the capacitor.”

Applicants respectfully submit that amended Claim 31 (and its dependent Claims 32-38 and 46) patentably distinguish over Hosono.

Consequently, in view of the above amendments and comments, it is respectfully submitted that the outstanding rejection is traversed and that the pending claims are in

Application No. 10/796,157
Reply to Office Action of June 25, 2004

condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

I:\ATTY\JW\249781US\249781_AM.DOC